

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: SUBOXONE (BUPRENORPHINE
HYDROCHLORIDE AND NALOXONE)
ANTITRUST LITIGATION**

**THIS DOCUMENT APPLIES TO:
ALL ACTIONS**

: **MDL NO. 2445**
: **13-MD-2445**
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ORDER

AND NOW, this 3rd day of December, 2014, upon consideration of “Defendants’ Motion to Dismiss the Direct Purchaser Plaintiffs’ Consolidated Amended Class Action Complaint” and “Defendants’ Motion to Dismiss the End Payor Plaintiffs’ Consolidated Amended Class Action Complaint,” the responses and replies thereto, and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** that the motions are **GRANTED in part and DENIED in part**, such that:

- The motion to dismiss the Direct Purchasers’ complaint (Dkt. No. 13-md-2445, Doc. No. 56; Dkt. No. 13-cv-1122, Doc. No. 24; Dkt. No. 13-cv-1164, Doc. No. 27; Dkt. No. 13-cv-3230, Doc. No. 3) is granted as to Count III. The motion is further granted in that the Direct Purchasers’ claims against Reckitt Benckiser, Inc., Reckitt Benckiser LLC, Reckitt Benckiser Healthcare (UK) Ltd. and Reckitt Benckiser Group plc are dismissed. The motion is denied in all other respects.
- The motion to dismiss the End Payors’ complaint (Dkt. No. 13-md-2445, Doc. No. 57; Dkt. No. 13-cv-1808, Doc. No. 10; Dkt. No. 13-cv-1594, Doc. No. 10; Dkt. No. 13-cv-2454, Doc. No. 6; Dkt. No. 13-cv-3229, Doc. No. 2; Dkt. No. 13-cv-3381, Doc. No. 3; Dkt. No. 13-cv-3450, Doc. No. 2; Dkt. No. 13-cv-3451, Doc. No. 3; Dkt. No. 13-cv-

3545, Doc. No. 2; Dkt. No. 13-4430, Doc. No. 2) is granted as to the following claims:

- i. The antitrust claims under the laws of Arizona, District of Columbia, Illinois, Kansas, Maine, Massachusetts, Missouri, Nebraska, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Puerto Rico, Rhode Island, South Dakota, Tennessee, Utah, Vermont and West Virginia;
- ii. The consumer protection claims under the laws of Arkansas, Arizona, District of Columbia, Idaho, Illinois, Kansas, Maine, Massachusetts, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Oregon, Rhode Island, South Dakota, Tennessee, Utah, Vermont and West Virginia; and
- iii. The unjust enrichment claims brought under the laws of Arkansas, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Kansas, Kentucky, Louisiana, Maryland, Maine, Massachusetts, Missouri, Montana, Nebraska, New Jersey, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, West Virginia and Wyoming.

The motion is further granted in that the End Payors' claims against Reckitt Benckiser, Inc., Reckitt Benckiser LLC and Reckitt Benckiser Healthcare (UK) Ltd. are dismissed.

The motion is denied in all other respects.

IT IS FURTHER ORDERED that the End Payor Plaintiffs United Food & Commercial Workers Health & Welfare Fund, A.F. of L.-A.G.C. Building Trades Welfare Plan, Michigan Regional Council of Carpenters Employee Benefits Fund, I.B.E.W. 292 Health Care Plan and Teamsters Health Services & Insurance Plan Local 404 shall effectuate service on all Defendants remaining in this litigation that they have not yet served (or that has not yet waived service) within thirty (30) days of the date of this Order.

BY THE COURT:

/s/ **Mitchell S. Goldberg**

Mitchell S. Goldberg, J.